

controls set up under the Regional Development Plan.

Deputy Warden Streach commented that the Consultants have been meeting in some areas on an informal basis and he felt quite sure that any organization in any District could request such a meeting.

Councillor Gaetz advised that he had given out the names of the persons to contact but the people in his area had never done so.

The Municipal Clerk advised that there will be communication with all organizations when this conceptual plan is available.

Councillor Nicholson asked if just because the Provincial Government marks a green area if this means that they take this green area without any compensation.

Mr. Cox, Municipal Solicitor, advised that a person would not get a development permit in an area that was marked a green area. He stated that the ownership remains the same and does not provide for any compensation. He stated that under the old Town Planning Act, municipalities have the right to limit use of property but are still not liable for compensation. The Act provides that there is no compensation, it is considered for the benefit of the area. He stated this is not a new approach - it is in the Old Town Planning Act.

Councillor Nicholson stated it was the most arbitrary piece of legislation that he had ever heard of - that it was a form of expropriation - putting a person's land out of use.

Councillor McCabe stated that if you wish to buy a piece of land from the Crown, they refuse to sell it. If you wish to buy a piece of land from Scott Paper Company, they refuse to sell it. He commented that he agreed with Councillor Nicholson that if they are going to expropriate our land surely there is some type of appeal. He felt that too many laws are bad for the country - there should be stable laws, and people should be allowed to live where they wish to live - that is their privilege.

Councillor Slauenwhite commented that he was a bit concerned because of the delay in the report and that people have no recourse to appeal. He commented that we are going to be delayed a long time if we have to jib and jab on this Municipal Development Plan.

The Report of the School Capital Program Committee was next on the Agenda.

It was moved by Councillor Gaetz, seconded by Councillor Nicholson:

"THAT the Report of the School Capital Program Committee be approved." Motion carried.

Councillor Gaetz said that he had been receiving a number of calls asking how we were getting along with a site for the Eastern Shore.

Councillor Nicholson advised that we were awaiting a report from Mr. Grantham.

The Municipal Clerk, Mr. Bensted, advised that the Architect would be coming in tomorrow morning and would probably be making a recommendation.

The Report of the Finance and Executive Committee was next on the Agenda.

It was moved by Councillor Killam, seconded by Councillor Gaetz:

"THAT the Report of the Finance and Executive Committee be approved." Motion carried.

The Municipal Clerk gave a brief resume of the report.

Councillor McCabe inquired as to where there had been any communication received with regard to the Senior Citizens Home for Districts 12 and 13.

Deputy Warden Streach concurred with the remarks of Councillor McCabe. He stated that there had been quite a discussion on Senior Citizens projects at the Finance and Executive Committee meeting. He stated that we had started on this topic two years ago in connection with Sheet Harbour, and now we have four (4) under construction. He commented that a resolution was passed by this Council that the Housing Commission undertake a complete study of the whole County and indicate where the need was for various projects popping up.

Speaking on the Senior Citizens Homes, Councillor McCabe commented that he and Deputy Warden Streach had two very large Districts and would feel very disturbed if we did not receive some communications in the near future with regard to a project for their areas.

Councillor Gaetz inquired how the surveys were done.

The Municipal Clerk, Mr. Bensted, advised that the surveys were conducted by Nova Scotia Housing Commission. He advised that the normal procedure would be to advertise and invite an indication as to how many persons would be interested.

Councillor MacKenzie commented that in the Sheet Harbour area, the Board of Trade made a survey for the need and from there a resolution came to Council which eventually went to the Nova Scotia Housing Commission. He advised that there is still another survey being made locally and the need is seen for additional accommodations.

Councillor Anderson commented that he had read in the Press that a Committee had been established.

The Municipal Clerk advised that a Housing Authority had been established, that Mr. Jennex, (former Councillor) was Secretary and Mr. Harry Cleveland (also a former Councillor) was the Chairman.

Councillor MacKenzie stated that the Housing Authority had been established and approved by the Minister for the Eastern portion of the Municipality and advised that if there were housing units established in the Western half, there would be another Housing Authority established to look after those units.

Councillor Williams commented on Halifax Natal Day and Dartmouth Natal Day, which Council, in its wisdom, was granting to the Staff of the Municipality. He wondered what would happen with regard to July 1st which comes on a Thursday, asking if it were going to be held on Friday so that the Staff would have a long weekend.

Mr. Bensted, Municipal Clerk, advised that as far as he knew, July 1st, was a Statutory Holiday and would not be changed.

Mr. Cox, Municipal Solicitor, said that this was correct, that July 1st, was a matter of of Federal Statute.

It was moved by Councillor Dunbar, seconded by Councillor Nicholson:

"WHEREAS in order to construct the Bedford By-pass the Provincial Department of Highways requires title to a piece of land owned by the Municipality and being part of the school property situated between Sidney Stephen Junior High School and the Elementary School on the Waverley Road at Bedford.

AND WHEREAS the Department of Highways, the Municipality and the Municipal School Board have been negotiating to arrive at a plan that is satisfactory to all parties.

AND WHEREAS the Department of Highways has modified its requirements in the area of the playground and has also agreed to erect chain link fences on both sides of the highway fronting on school property of eight foot and twelve foot heights.

AND WHEREAS the Municipal School Board has approved the plan submitted by the Department of Highways.

BE IT RESOLVED THAT Council authorize the sale of this land to the Provincial Department of Highways and authorize and instruct the Warden and Clerk to execute all necessary documents to give effect thereto subject to the satisfactory negotiation of a purchase price for the said land."
Motion carried.

It was moved by Councillor Slauenwhite, seconded by Councillor Fader:

"WHEREAS Thermo-Flo Corporation Limited has requested the Halifax-Dartmouth Regional Authority to execute a Quit Claim Deed conveying certain lands from the Halifax-Dartmouth Regional Authority to Thermo-Flo Corporation Limited situated

on the Old Cobequid Road at Lower Sackville, in the County of Halifax, Province of Nova Scotia, and which are more particularly described in the said Deed, a copy of which is attached hereto;

AND WHEREAS the Halifax-Dartmouth Regional Authority requires that a resolution be passed by the City of Halifax, the City of Dartmouth and the Municipality of the County of Halifax authorizing the appropriate signing officers of the Halifax-Dartmouth Regional Authority to execute the said Quit Claim Deed;

BE IT RESOLVED THAT the Chairman and Secretary of the Halifax-Dartmouth Regional Authority be and they are hereby authorized to execute on behalf of the Municipality of the County of Halifax the Quit Claim Deed, a copy of which is attached hereto, from Halifax-Dartmouth Regional Authority to Thermo-Flo Corporation Limited." Motion carried.

Some discussion ensued on the Loitering By-law. Councillor Deveaux commented that the By-law had been turned down as it was considered too strict.

The Municipal Solicitor advised that we are getting special legislation that can be applied to Shopping Centres, Malls, etc.

It was moved by Councillor Killam, seconded by Councillor Deveaux:

"BE IT RESOLVED THAT the Solicitor be and he is hereby instructed to prepare a revised Loitering By-law taking into account the provisions of the special legislation and submit the same to Council for its action." Motion carried.

It was moved by Councillor McCabe, seconded by Councillor Anderson:

"BE IT RESOLVED THAT the Municipal Administration Building and Municipal Offices be closed on Halifax Natal Day, the 26th of July AND Dartmouth Natal Day, the 4th of August, and that the public be so notified." Motion carried.

It was moved by Councillor Killam, seconded by Councillor Nicholson:

"WHEREAS the Nova Scotia Housing Commission has requested that Council consider a resolution specifically asking for a need and demand survey of the Hubbards area with relation to senior citizen housing accommodation.

BE IT RESOLVED THAT Council request the said Commission to proceed with and complete the said study and report thereon to Council." Motion carried.

Councillor Nicholson referred to the motion that had been made by Council requesting that all areas of the County be investigated with regard to senior citizen housing and commented that the Hubbards area had been picked out. He stated he would like to have seen District No. 3 taken in. With Hubbards - you get out to the Lunenburg County Line and he felt we should not try to put such a project in every District but possibly serve two or three areas in one project. He felt they should have looked a little further into this matter.

Councillor McCabe commented that he sincerely hoped that Councillor Nicholson was not suggesting that there should not be such a project in the Musquodoboit Valley.

It was moved by Councillor Johnson, seconded by Councillor Gaetz:

Municipality of the County of Halifax
Temporary Borrowing - \$500,000.00
District No. 7 Service Commission
re Rink, Cole Harbour area

"WHEREAS by Section 6 of Chapter 193 of the Revised Statutes of Nova Scotia, 1967, the Municipal Affairs Act, it is enacted among other things, in effect, that subject to the provisions of Section 8 of said Act every municipality of a county or district shall have full power and authority to borrow or raise by way of loan from time to time on the credit of the municipality such sum or sums as the Council thereof deems necessary for the purpose of constructing and equipping for recreational purposes a rink for the District No. 7 Service Commission, Cole Harbour;

AND WHEREAS by Section 8 of said the Municipal Affairs Act, it is enacted among other things, in effect, that no money shall be borrowed under the provisions of the said Act until such proposed borrowing has been approved by the Minister of Municipal Affairs;

AND WHEREAS the Municipal Council of the Municipality of the County of Halifax deems it necessary to borrow a sum not exceeding Five Hundred Thousand Dollars (\$500,000.00) for the purpose of constructing and equipping for recreational purposes a rink for the District No. 7 Service Commission at Cole Harbour;

AND WHEREAS by the Municipal Affairs Act such sum shall in the discretion of the Municipal Council be borrowed or raised in one sum at one time or in instalments at different times and the sum required shall be borrowed or raised by the issue and sale of debentures of the Municipality to such an amount as the Council thereof deems necessary to raise such sum;

AND WHEREAS it is deemed expedient to postpone the issue of debentures and to borrow such sum for the purpose aforesaid from the Royal Bank of Canada at Halifax the sum so borrowed to be repaid to said Bank from the proceeds of the debentures when sold;

BE IT THEREFORE RESOLVED that under and by virtue of said the Municipal Affairs Act the Municipality of the County of Halifax do, subject to the approval of the Minister of Municipal Affairs, borrow or raise by way of loan on the credit of the Municipality a sum not exceeding Five Hundred Thousand Dollars (\$500,000.00) for the purpose aforesaid;

THAT under and in accordance with said the Municipal Affairs Act such sum be borrowed or raised by the issue and sale of debentures of the Municipality to such an amount as the Council deems necessary to raise such sum;

THAT the issue of such debentures be postponed and the said Municipality do, under and by virtue of the provisions of Section 147 of the Municipal Act and subject to the approval of the Minister of Municipal Affairs, borrow by way of loan on the credit of the Municipality a sum or sums of money not exceeding Five Hundred Thousand Dollars (\$500,000.00) from the Royal Bank of Canada at Halifax.

THAT such sum or sums be borrowed from said Bank for a period not exceeding twelve months from the date on which this resolution shall have been approved by the Minister of Municipal Affairs, with interest thereon to be paid said Bank at such rate as shall be agreed upon and that the amount so borrowed be repaid the said Bank from the proceeds of the debentures when sold." Motion carried.

It was moved by Councillor Smith, seconded by Councillor McCabe:

"WHEREAS the documents and records of the Municipality of the County of Halifax as set out in the affidavit of Harry G. Bensted, the Municipal Clerk, sworn to the 15th day of June, 1976 are no longer required;

AND WHEREAS according to the said affidavit the said documents and records have been personally examined by the said Clerk and he has determined that there is nothing of value therein and that the said documents and records do not include any documents or records which are exempt from destruction pursuant Section 4 of the Destruction of Documents By-law;

BE IT THEREFORE RESOLVED THAT the documents and records as set out in the said affidavit of the said Clerk be forthwith removed and destroyed." Motion carried.

Councillor Anderson commented that he was not happy what with the Election coming on, he felt that the Nova Scotia Housing Commission should be conscious of what projects present councillors have been involved with in the event that these Councillors may or may not be returned to office. He felt that a motion should be forwarded to the Nova Scotia Housing Commission that these projects should be localized - that if we did not have a report from the Nova Scotia Housing Commission as to what they are doing, Councillors would not know what is going on.

It was moved by Councillor Anderson, seconded by Councillor Williams:

"THAT this Council request a more detailed report from the Nova Scotia Housing Commission with respect to a request for a survey of the Municipality, generally, re: Senior Citizens Projects." Motion carried.

Councillor Dunbar asked permission of Council to consider a financial matter which would normally go through the Finance and Executive Committee but this particular item came up since the last meeting of the Finance and Executive Committee.

The Municipal Clerk explained that this referred to a request for a loan for a piece of fire equipment for the Hammonds Plains Fire Department.

Council agreed for Councillor Dunbar to speak.

Councillor Dunbar advised that apparently the Hammonds Plains Fire Department had ordered a fire truck with the expected delivery to be in September but is now due to arrive and the Company expected to get paid for it. He stated the Commission already had incorporated this cost factor in the area rate, and in order to complete the transaction would request a Temporary Borrowing Resolution so that they would have the money by the time the machine arrived on July 5th., 1976. The Borrowing Resolution would be for a period of ten years. He stated that the price of the machine was \$40,335.00 and they expect to pay \$7,000.00 annually on the vehicle so it is quite conceivable that the fire vehicle could be paid before the ten year period is up.

It was moved by Councillor Dunbar, seconded by Councillor Killam:

"Approval of a loan of \$40,000.00 to the Hammonds Plains Service Commission for the purpose of purchasing a piece of fire fighting equipment with the usual provision of setting of an area rate to allow re-payment of principal and interest over a ten-year period." Motion carried.

It was moved by Councillor Dunbar, seconded by Councillor Slauenwhite:

Municipality of the County of Halifax
 Temporary Borrowing Resolution - \$40,000.00
 Fire Fighting Equipment for the Hammonds
 Plains Service Commission

"WHEREAS by Section 6 of Chapter 193 of the Revised Statutes of Nova Scotia, 1967, the Municipal Affairs Act, it is enacted among other things, in effect, that subject to the provisions of Section 8 of said Act every municipality of a county or district shall have full power and authority to borrow or raise by way of loan from time to time on the credit of the municipality such sum or sums as the Council thereof deems necessary for the purpose of purchasing fire fighting equipment for the Hammonds Plains Service Commission.

AND WHEREAS by Section 8 of said the Municipal Affairs Act, it is enacted among other things, in effect, that no money shall be borrowed under the provisions of the said Act until such proposed borrowing has been approved by the Minister of Municipal Affairs;

AND WHEREAS the Municipal Council of the Municipality of the County of Halifax deems it necessary to borrow a sum not exceeding Forty Thousand Dollars (\$40,000.00) for the purpose of purchasing fire fighting equipment for the Hammonds Plains Service Commission.

AND WHEREAS by the Municipal Affairs Act such sum shall in the discretion of the Municipal Council be borrowed or raised in one sum at one time or in instalments at different times and the sum required shall be borrowed or raised by the issue and sale of debentures of the Municipality to such an amount as the Council thereof deems necessary to raise such sum.

AND WHEREAS it is deemed expedient to postpone the issue of debentures and to borrow such sum for the purpose aforesaid from the Royal Bank of Canada at Halifax the sum so borrowed to be repaid to said Bank from the proceeds of the debentures when sold;

BE IT THEREFORE RESOLVED that under and by virtue of said the Municipal Affairs Act the Municipality of the County of Halifax do, subject to the approval of the Minister of Municipal Affairs, borrow or raise by way of loan on the credit of the Municipality a sum not exceeding Forty Thousand Dollars (\$40,000.00) for the purpose aforesaid;

THAT under and in accordance with said the Municipal Affairs Act such sum be borrowed or raised by the issue and sale of debentures of the Municipality to such an amount as the Council deems necessary to raise such sum;

THAT the issue of such debentures be postponed and the said Municipality do, under and by virtue of the provisions of Section 147 of the Municipal Act and subject to the approval of the Minister of Municipal Affairs, borrow by way of loan on the credit of the Municipality a sum or sums of money not exceeding Forty Thousand Dollars (\$40,000.00) from the Royal Bank of Canada at Halifax.

THAT such sum or sums be borrowed from said Bank for a period not exceeding twelve months from the date on which this resolution shall have been approved by the Minister of Municipal Affairs, with interest thereon to be paid said Bank at such rate as shall be agreed upon and that the amount so borrowed be repaid the said Bank from the proceeds of the debentures when sold.

It was moved by Councillor Anderson, seconded by Councillor Killam:

"THAT Mr. Richard MacFarlane of Duncan's Cove, be appointed as Constable re Dogs for District No. 5." Motion carried.

It was moved by Councillor Fader, seconded by Councillor McCabe:

"THAT Mrs. Lorna Abbott of 71 Chapais Drive, Lower Sackville AND Mrs. Barbara Mombourquetts of 67 Chapais Drive, Lower Sackville, be appointed as Constables for the purpose of selling Dog Licenses." Motion carried.

Councillor McCabe commented on two ladies who had been appointed for selling dog licenses in his area advising that they had turned in a certain number but that one party had not paid and had then gone around advising people that they had not paid. It was moved by Councillor McCabe, seconded by Councillor Deveaux:

"THAT the collection of Dog Licenses under the Dog By-law be enforced." Motion carried.

Some discussion ensued with regard to the evening sessions of Council for the months of July and August. The Municipal Solicitor contacted the Department of Municipal Affairs to ascertain if the By-law has been signed and advised that it had been. It was moved by Councillor Deveaux, seconded by Councillor Lawrence"

"THAT the July and August Council Sessions of the Municipal Council convene at 7:00 p.m. and the public be so advised."

A standing vote was taken on the motion with the result ten (10) for, five (5) against. Deputy Warden Streach declared the motion carried.

The Municipal Clerk announced that it was necessary to appoint a member to the Halifax County Hospital Visiting Committee.

It was moved by Councillor Hudson, seconded by Councillor Nicholson:

"THAT Mrs. Helena Poirier of Lakeside, be appointed to the Visiting Committee of the Halifax County Hospital." Motion carried.

Mrs. Poirier was in the gallery of the Council Chamber and was warmly welcomed by the Deputy Warden.

The Municipal Clerk spoke of the usual meeting with regard to resolutions to be presented to the Union of Nova Scotia Municipalities.

Councillor Nicholson commented that the meeting would be held on June 29th and he suggested that if any Councillor had anything they wished brought up, they do so on this date.

Councillor Hudson stated she was not very happy that the resolution dealing with the Clarification of Voting Procedures would not reach the floor of the Union.

Councillor Killam spoke with regard to our own new Council commenting that there would be a new Council in the Autumn and suggested that because of twenty-one members to the incoming Council that the Finance and Executive Committee bring in a recommendation regarding the composition of increased members on Committees, these suggested numbers to be brought in at the July Session of Council. It was therefore moved by Councillor Killam, seconded by Councillor Williams:

"THAT the question of membership of the Committees of the Municipal Council be referred to the Finance and Executive Committee in view of the increase of Council Seats from 17 to 21 with a report to be brought in to the July Session of Council." Motion carried.

Councillor Nicholson commented that he had sat in Council with twenty-seven members and twenty-one members with the same number on committees as we now had and he did not feel it was up to this Council to dictate how many members should be on committees.

Councillor Killam stated that he was "not dictating", just suggesting, because of the fact that with

an enlarged Council if enlarged committees were desired it would take many months because it would have to be passed by the Minister of Municipal Affairs, and he was just suggesting that the action now would be for the idea to go to Finance and Executive Committee for their recommendation.

The Supplementary Report of the Chief Building Inspector was then presented to Council.

It was moved by Councillor Anderson, seconded by Councillor Gaetz:

"THAT the Supplementary Report of the Chief Building Inspector be approved." Motion carried.

Councillor Hudson referred to a letter dated November, 1974, with regard to the use of rifles and shot guns for hunting purposes. The Municipal Clerk advised that a meeting had been held with the Department of Lands and Forest and they would be having a report, possibly at the next Session of Council.

Mr. Cox advised that there were two items dealing with government control over the acquisition of fire arms.

Councillor Anderson commented that we were seeking legislation to control dogs, fire arms and soon there would not be very much for Council Members to deal with.

Councillor Hudson commented that it was her understanding that we had a by-law prohibiting the ownership of air rifles and just the day before she had received a circular advertising the sale of air rifles at the Canadian Tire Store including the Bedford store.

Councillor Lawrence inquired as to whether or not the County is participating in the Councillors Hand Book. She advised that she had a draft copy of some of the chapters. She also commented that seminars were being held with various Municipal Councils to draft chapters.

The Municipal Clerk advised that the only indication he had had was the permission to tape the Council Session.

Councillor MacKenzie inquired if there were going to be any funds allocated for Municipal Parks in Halifax County.

The Municipal Clerk said that this had been inadvertently omitted from the last Finance and Executive Committee meeting and would have to wait until the next Session of Council. However, he advised that he presumed that the same amount as last year would be allocated.

Councillor MacKenzie asked if he could request a copy of a resolution passed by the Municipal School Board and receive it.

Mr. Cox advised Councillor MacKenzie that he could request a copy of a resolution. He said there was no requirement that they make a copy, but that he could always go to the office and see it.

Councillor Gaetz asked why there was no report from the Municipal School Board at this Session.

Councillor McCabe advised that they were getting along extremely well and there was nothing specific to report.

Councillor Deveaux mentioned that there was a recent appointment of a principal made to the Elementary School in his area and commented that it must be the policy not to appoint a local person.

Councillor Hudson stated that this was not true.

Councillor Deveaux said that a man in his area was Vice-Principal and he could not see why he had been turned down in lieu of someone else.

Councillor Hudson re-affirmed that there was no such policy re the appointment of a local person - that the School Board tried to appoint the person they thought best for the position.

Councillor McCabe stated that they had a Personnel Committee - two of the Members of the Municipal School Board meet with the Superintendent and Assistant Superintendent. They interview the applicants and endeavour to pick the best. He stated he was not on that Committee.

Councillor Fader asked what the situation was in Sackville with regard to Green Areas.

The Municipal Clerk said there was to be a meeting with Councillor Fader and Councillor Slauenwhite to discuss this. He said he would check with Mr. Gough but he understood that this was the situation.

Deputy Warden Streach remarked that he was quite surprised that there was no item dealing with garbage disposal on this Agenda. He stated there was a meeting held the previous week and there was a report on the desks of Councillors this morning, but he was not sure that he agreed that this report should go just to those Councillors concerned, and said there was no reason why this could not be supplied to all Councillors.

Councillor Nicholson reminded the Deputy Warden that those five Councillors were the ones who were going to be cut off by the City at the end of June.

Councillor Lawrence asked now that we have an Unsightly Premises Inspector on the job what was the procedure for taking people to Court. Some of them have not improved their properties.

Mr. Cox, advised that he could not give the number of people that were taken to Court just at this moment, but the procedure was that the Inspector submits a report and submits the evidence to his office and they will proceed with a hearing.

Councillor Lawrence asked if Council could have a report on the number of people taken to Court at the next Session of Council.

Councillor MacKenzie said he was interested to see that we had engaged Mr. Stringer again this year but he hoped that he would be a little more available in his area.

Councillor MacKenzie commented on car wrecks in this area and asked who would be responsible for getting them removed.

Deputy Warden Streach advised that the car bodies have to be brought to the crusher.

Councillor MacKenzie said he was interested in reading a program that the Government is approving for the Eastern Shore and was advised by the Municipal Clerk that probably this would be a pilot program carried out by the Department of Environment. He said he did not know just what area they would be carrying out this program, but he felt that it would be in a small area to determine the cost.

It was moved by Councillor Fader, seconded by Councillor Gaetz:

"THAT the matter of the Municipality publicly advertising the visit of any crushing operation re car bodies in Halifax County be referred to the Finance and Executive Committee."
Motion carried.

Mr. Cox, Municipal Solicitor, advised that this would be in the area of expenditure of money and would have to be approved by Council.

Councillor Hudson asked if Salvage Yards were required to accept all car bodies and was advised by the Municipal Clerk that as far as he knew there was nothing to say they had to accept them.

Councillor McCabe asked what progress was being made with regard to the unsightly store building in his area, and was advised by the Municipal Clerk that an attempt was being made to get prices from people to remove the building. One problem, he stated, is that the value of the piece of land the building is located on is practically of no value. He stated, if the Municipality is going to get involved there would be no way of recompense.

Councillor McCabe spoke of the possibility of razing the building but was advised by the Municipal Solicitor that the nearness of other buildings would have to be taken into account when thinking of fire.

Councillor Gaetz stated that he would like to congratulate our young Councillor - Deputy Warden Kenneth Streach, on the very able manner in which he conducted this Council Session.

It was moved by Councillor Hudson, seconded by Councillor Gaetz:

"THAT the June Session of the Municipal Council adjourn."
Motion carried.

M I N U T E S & R E P O R T S

SPECIAL MEETING

TUESDAY, JUNE 29th., 1976

MINUTES OF A SPECIAL SESSION OF THE MUNICIPAL COUNCIL
OF THE THIRD YEAR COUNCIL OF THE THIRTY-EIGHTH COUNCIL
OF THE
MUNICIPALITY OF THE COUNTY OF HALIFAX

The Special Session of the Council of the Municipality of the County of Halifax convened at the Municipal Administration Building on Tuesday, June 29th., 1976 at 10:00 a.m., with Warden Ira Settle presiding.

Following the Lord's Prayer, the Municipal Clerk called the Roll.

It was moved by Councillor Anderson, seconded by Councillor Williams:

"THAT Miss Doris Leonard be appointed as Recording Secretary for this Special Session of the Municipal Council." Motion carried.

Warden Settle announced that this Special Session had been called to deal with one item - a Report re Solid Waste Disposal and he was hopeful that a decision would be arrived at. He then turned the meeting over to the Municipal Clerk.

Mr. Bensted, Municipal Clerk read his report with regard to the Solid Waste Disposal, a copy of which had been handed to each Councillor.

Warden Settle then announced that the matter was open for discussion.

Councillor Hudson commented that area rates had been set for garbage collection and asked if they would be adequate to cover this program.

Mr. Bensted stated that he hoped they would be. He said that in setting the rates for this year this situation had been kept in mind. He added that it might be that area rates for the year 1977 would have to be increased.

Councillor Anderson commented that there was an element of doubt in everyone's mind. There was no complete program to lay before the Council, just an interim program. He said he presumed that a resolution would be required for the Municipal Clerk and the Warden to arrange for the securing of such sites as would be required and asked if such a resolution was available so that it might be discussed.

He was advised by the Municipal Clerk that the Municipal Solicitor was preparing such a resolution.

It was moved by Councillor Killam, seconded by Councillor Smith:

"THAT the Report of the Municipal Clerk with regard to Solid Waste Disposal be adopted." Motion carried.

Councillor MacKenzie asked, in connection with the portable incinerators, if we had any locations, would they be within the Municipality of the County of Halifax. The Municipal Clerk advised that this would have to be finalized.

Councillor MacKenzie asked if we would go into Jack's Lake after that.

The Municipal Clerk advised that it is the intention to have a short term operation until the Heat Energy Recovery Program is ready.

Councillor MacKenzie asked how much the portable incinerators would burn per day.

The Municipal Clerk advised that the incinerators are 25 Ton Modules and it was proposed to have three. The cost runs in the area of \$250,000.00 per module and a building would also be needed for the operation to be carried out. It would be a twenty-four hour program.

Councillor Dunbar asked the Municipal Clerk when he spoke of a 25-ton capacity would that be twenty-five ton burned per day or per week.

The Municipal Clerk advised that it would be twenty-five ton over a twenty-four hour period.

Councillor MacKenzie said that the reason he was questioning the portable incinerators was that he thought possible they might be made available to the more rural areas.

Mr. Bensted advised that they would be disposed of and the money realized from the sale would be credited against the original advance by the Province.

Councillor Gaetz asked if the idea of the shredder had been forgotten.

Councillor Nicholson commented that if the incinerators were made available to the more rural areas they would have to assume the responsibility of the outstanding purchase price.

Mr. Bensted advised that this was not a decision for this Municipal Council.

Councillor Gaetz asked where they would be placed - he was thinking of smoke problems.

The Municipal Clerk stated that sites had not been finalized as yet.

Councillor Nicholson stated that what we were doing today was attempting to get approval in principle of a motion that would allow negotiating to take place.

Councillor Deveaux asked if each incinerator required a building and was advised in the affirmative by the Municipal Clerk, that there would probably be two incinerators in one location and the third in another location.

Councillor Deveaux asked if the three could not be in one location, and was advised by the Municipal Clerk that that was a possibility.

It was moved by Councillor Anderson, seconded by Councillor Fader:

"THAT the Report on garbage disposal submitted to the Special Session of Council on the 29th., of June, 1976 be adopted in principal, and:

THAT negotiations be carried out to establish the means of disposal set forth therein, and;

THAT the Warden and the Clerk be and they are hereby authorized to execute any required agreements subject to the detailed agreements being submitted to Council for ratification."
Motion carried.

It was announced by Warden Settle that the meeting with regard to resolutions to be submitted to the Union of Nova Scotia Municipalities scheduled for this afternoon had been cancelled and a tentative date of July 8th., had been set. Advice on this would go forward at a later date.

It was moved by Councillor Gaetz, seconded by Councillor Nicholson:

THAT the Special Session of Council be adjourned."
Motion carried.

SPECIAL SESSION OF COUNCIL - 1976

TUESDAY - JUNE 29, 1976

REPORT RE SOLID WASTE DISPOSAL

To His Honour the Warden and Members of the Municipal Council.

Councillors:-

As reported previously to Council, the City of Halifax had, by resolution, determined that no garbage or refuse would be received at the City of Halifax Incinerator or Dump from outside the City after June 30, 1976. As the bulk of the household garbage collection from those Districts in the Municipality of the County of Halifax having household garbage was being disposed of at the City Incinerator, this would mean that the Municipality of the County of Halifax would not have a means of disposing of this material.

The Municipality found itself in this position, due to the fact that the three Municipalities - the Cities of Halifax and Dartmouth, along with the Municipality of the County of Halifax, agreed some years ago to work toward one Regional Solid Waste Disposal System to serve the three Municipalities instead of each Municipality going its own separate way in providing this service.

This goal has not been reached, due to the original site for a regional landfill operation not being available. First of all, because of people protest and finally by Provincial Government decision.

The second site being made available by the Provincial Government has not been finalized, again, due to people protest through Court action.

A number of discussion meetings have been held, involving the Premier of the Province of Nova Scotia, and the two Mayors and the Warden of the Municipality of the County of Halifax. Following these discussions a compromise program was placed before the three Municipalities.

The Premier of the Province of Nova Scotia has announced a heat energy recovery program to be available within four years, whereby the total household garbage from the three Municipalities would be burned.

A proposed short-term program would involve a certain percentage of the household garbage from the Municipality of the County of Halifax being disposed of through the City of Halifax Incinerator and a certain percentage being disposed of through the City of Dartmouth Incinerator, with the Municipality of the County of Halifax accepting responsibility of disposing of the balance of this disposal by the Municipality of the

- 2 -

Report re Solid Waste Disposal Continued

County of Halifax by means of a short-term landfill operation, with portable incinerators available in approximately four months; this short-term program to be in effect until the proposed Jack's Lake landfill operation was available, with the final solution being the heat energy recovery program.

The Province of Nova Scotia would advance to the Regional Authority the required capital funds for this short-term program, with these funds to be recovered by the Regional Authority from the three Municipalities on a user-pay basis.

These capital funds to cover initial capital expenditures at the Cities of Halifax and Dartmouth Incinerators and to provide the portable incinerators required by the Municipality of the County of Halifax.

The City Council of the City of Halifax has, by resolution, approved of disposing of a certain percentage of the household garbage from the Municipality of the County of Halifax up to December 31, 1976, with the situation being reviewed at that time. The City Council of the City of Dartmouth will consider the request to dispose of a percentage at the City of Dartmouth Incinerator at a regular session on Tuesday evening, June 29, 1976.

The Municipality of the County of Halifax will have to assume the responsibility of disposing of the balance of the household garbage and this will involve the setting up of one or two temporary short-term landfill sites and the purchasing of two or three portable incinerators to be available in approximately four months, as part of this program.

It is, therefore, requested that the Municipal Council approve, in principle, negotiations being carried out in order to establish this means of disposal and authorizing the Warden and Clerk to sign any required agreements, subject to the detailed agreements being ratified by the Municipal Council at a later date.

Respectfully submitted,



H. G. Bensted,
Municipal Clerk and Treasurer.

M I N U T E S & R E P O R T S

of the

T H I R D Y E A R M E E T I N G S

of the

T H I R T Y - E I G H T H C O U N C I L

of the

M U N I C I P A L I T Y O F T H E C O U N T Y O F H A L I F A X

J U L Y C O U N C I L S E S S I O N

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MINUTES OF THE JULY SESSION OF THE MUNICIPAL COUNCIL
OF THE THIRD YEAR COUNCIL OF THE THIRTY-EIGHTH COUNCIL
OF THE
MUNICIPALITY OF THE COUNTY OF HALIFAX

The July Session of the Council of the Municipality of the County of Halifax convened at the Municipal Administration Building at 7:00 p.m., Tuesday, July 20th., 1976 with Warden Ira S. Settle presiding.

Following the Lord's Prayer, the Municipal Clerk called the Roll.

It was moved by Councillor Williams, seconded by Councillor Anderson:

"THAT Miss Doris Leonard be appointed as Recording Secretary for this Session of the Municipal Council." Motion carried.

It was moved by Councillor Slauenwhite, seconded by Councillor Smith:

"THAT the Minutes of the June 15th., 1976 Session of the Municipal Council be approved." Motion carried.

It was moved by Deputy Warden Streach, seconded by Councillor Fader:

"THAT the Minutes of the Special Session of the Municipal Council held on June 29th., 1976, be approved." Motion carried.

Letters and communications were then dealt with and Mr. Bensted, Municipal Clerk, gave an outline of these items referring especially to a letter received from Mr. R.R. Fahie who requested an opportunity to present a petition with regard to Forest Hills Development.

Mr. Bensted advised the Council Members that they had before them on their desks a draft Agreement as required under the Planned Unit Development By-law with respect to the Forest Hills Development and which the Council would be dealing with at this Session. The Clerk advised that it required a resolution if the Members of Council decided to hear Mr. Fahie.

It was moved by Councillor MacKenzie, seconded by Councillor Anderson:

"THAT Mr. R.R. Fahie be permitted to address the Council in accordance with his request by letter." Motion carried.

Mr. Fahie then approached the dais and spoke to the Members of the Municipal Council. He advised that the reason he was present was to request the Members of the Municipal Council to consider the zoning position of the Master Plan for Forest Hills Development. He stated that a recent development has been a building going up that was not basically within the Master Plan. He added that people had been advised that a certain type of development would be going in - they purchased lots to build their homes and then found a commercial development going in and that it was the feeling of the people of Forest Hills that the residents should know exactly what to expect in the future, and would request the Municipal Council to consider the zoning position of the Master Plan.

Mr. Fahie said he understood that there is a document going through called Planned Unit Development and he had had an opportunity to read something on this. He said that his conception of the Planned Unit Development was that they are going to take each phase and develop it, but the only thing that concerned the people of Forest Hills was that one phase borders on another phase. He again stated that they wanted to know exactly what is going in and what to expect. He stated that the people wanted some kind of protection.

Councillor Nicholson asked Mr. Cox, Municipal Solicitor, to outline the Planned Unit Development.

Mr. Cox commented that some months ago, Public Hearings were held on the Planned Unit Development and at that time the zoning plans, or the equivalent to zoning plans, were placed before the Public Hearings and after representations were made, Council approved the applications in principal for Forest Hills. He stated that he knew of no specific instance where there has been any development which has been in violation of the plan. He said he stood to be corrected if this was not so.

Mr. Fahie asked if he was to understand that the total Forest Hills Development was now totally zoned. He stated that according to maps he had seen that there is only a small parcel zoned for development, the rest of the area is completely open and he said this was what they were concerned about. He further stated that if people knew there was to be multiple dwellings etc., they would know what to expect. He said they had no objections to multiple or any type of housing but if this is what is to take place, then it must be reflected in the price that people pay.

Mr. Cox advised that if Mr. Fahie was in possession of knowledge that specific violations have taken place, he should advise the Council.

After much discussion on the subject, Councillor Hudson suggested that it was time this had been brought to a conclusion and if Mr. Fahie wanted to discuss the matter with Mr. Cox, he should do so at his office.

Councillor Nicholson said he agreed with Councillor Hudson and stated that we were getting nowhere with the discussion - that Councillors had not come to hear a debate on the matter.

It was moved by Councillor Nicolson, seconded by Councillor Anderson:

"THAT this discussion cease." Motion carried.

Councillor Gaetz commented that Mr. Fahie had a valid point and that he hoped that some protection would be given to these people.

Councillor Hudson commented that we could not guarantee that people would not come in and request rezoning - and that we would have no way of guaranteeing what future Councillors would do. She further stated that there is no point in saying we have to give a guarantee, we can only say that this is zoning as it is now. If someone comes in and requests rezoning, we cannot refuse to hear them.

Councillor Dunbar commented that he was very disappointed in the letter from the Deputy Minister of Municipal Affairs with regard to the three By-laws which had been sent down. He stated that he had been personally involved in trying to get these three by-laws passed for the last three years. He stated that these had been discussed at the Planning Advisory Meeting of yesterday morning. He felt that Mrs. Robertson was being very ambiguous as to the reasons why these By-laws had not been approved by the Minister of Municipal Affairs in just saying that they were being further pursued. He said he hoped we would get the reasons back as to why the By-laws were not being approved.

Councillor Nicholson asked the Municipal Clerk if he had written a letter with regard to the Junction of the No. 103 Highway and he was assured that the letter had been written.

The next item was the Report of the Warden. It was moved by Councillor Smith, seconded by Councillor Hudson:

"THAT the Report of the Warden be received." Motion carried.

Next was the Report of the Director of Planning and Development. It was moved by Councillor Gaetz, seconded by Councillor MacKenzie:

"THAT the Report of the Director of Planning and Development be approved." Motion carried.

The next item was the Report of the Planning Advisory Committee. It was moved by Councillor Nicholson, seconded by Councillor Killam:

"THAT the Report of the Planning Advisory Committee be approved." Motion carried.

It was moved by Councillor Fader, seconded by Councillor Deveaux:

"BE IT RESOLVED THAT the Zoning By-law be and the same is hereby amended by rezoning lands of Lawsroy Building Company Limited, Old Beaverbank Road, Sackville, from R-2 (Residential Two Family Dwelling Zone) to TH (Townhouse Zone). Application No. 6-76." Motion carried.

It was moved by Councillor Fader, seconded by Councillor Dunbar:

"BE IT RESOLVED THAT the Zoning By-law be and the same is hereby amended by rezoning lands of the Nova Scotia Housing Commission, Lot MT-1, Phase 9T, Lower Sackville, from TH (Townhouse Zone) to R-4 (Residential General Zone). Application No. 5-76." Motion carried.

It was moved by Councillor Deveaux, seconded by Councillor Anderson:

"BE IT RESOLVED THAT the Zoning By-law be and the same is hereby amended by rezoning lands of Shannon Gladwin, Lot L2 Duncan and Daniel MacDonald Subdivision, at Eastern Passage from R4 (Residential General Zone) to T (Mobile Home Park Zone) Application No. 12-76." Motion carried.

It was moved by Councillor Gaetz,,seconded by Deputy Warden Streach:

"BE IT RESOLVED THAT the Zoning By-law be and the same is hereby amended by rezoning lands of Mr. Toulany, Highway No. 7, Westphal, from R-2, (Residential Two Family Dwelling Zone) to C1 (Commercial Local Business Zone). Application No. 16-76." Motion carried.

The Municipal Clerk asked at this time if Council Members would wish to deal with the Agreement re Planned Unit Development (Forest Hills) with the Nova Scotia Housing Commission. It was agreed to carry on.

The Municipal Clerk referred to his memorandum to Councillors with regard to this Agreement and advised that it was not agreed to in full detail by the Nova Scotia Housing Commission but will have to be dealt with by Council then go to the Nova Scotia Housing Commission for their decision.

Councillor Nicholson asked if the Solicitor for the Nova Scotia Housing Commission does not agree with our Solicitor are we then in the position where they can change the agreement without our approval.

The Municipal Clerk advised that the Agreement cannot be changed without it coming back to us for approval.

Deputy Warden Streach suggested that, as it was a lengthy document, perhaps Mr. Cox, Municipal Solicitor, would like to make some comments.

Mr. Cox advised that he had prepared the Agreement with regard to the Planned Unit Development scheme. He commented that there were differences of opinion with the Solicitor for the Nova Scotia Housing Commission at the time as to certain sections and that most of these differences had been resolved. He commented that the main point at the present time is there are certain parts, where I have recommended, that the Housing Commission be required, before approval is given to any one phase, to supply all the information that is required in our By-laws and any other such information that may be required by the Municipality. The Housing Commission feels that this is an open-ended position and they would like to know what is required of them. It is not possible to expect at this time to give this information and he felt this clause should be retained. Other differences, he advised, had been pretty well ironed out. The question as to the take-over of parklands and walkways is that the County will take them over on request. Mr. Cox felt there should be a clause for arbitration. He suggested that if Council approves this agreement that is the decision it has taken, but if the Housing Commission does not like it, well they cannot change it after it has been approved by this Council. He commented that he was of the opinion that we are as close to an agreement as we can get.

Councillor Lawrence voiced the opinion that there was no way Council Members could read this agreement and understand it in a short period of time, and she suggested that it be deferred until the August Session of Council to allow Councillors to familiarize themselves with the agreement. She felt it should not be approved with only about five minutes to look it over. It was therefore moved by Councillor Lawrence, seconded by Councillor Deveaux:

"THAT the matter of the Planned unit Development be deferred until the August Session of Council." Motion carried.

Mr. Cox explained that the prime reason it was being placed before Council tonight was at the request of the Nova Scotia Housing Commission. He added that it could not have been put before Council any sooner as the last meeting was only held on Friday.

Councillor Hudson asked if there was a maximum lot size under the Planned Unit Development and was advised by the Solicitor that there was a five acre minimum, no maximum.

The next item was the Report of the Chief Building Inspector. It was moved by Councillor Deveaux, seconded by Councillor Dunbar:

"THAT the Supplementary Report of the Chief Building Inspector be approved. " Motion carried.

Councillor Deveaux expressed his concern with regard to the zoning of Hines Road to the Texaco Plant at Eastern Passage. It was moved by Councillor Deveaux, seconded by Councillor Gaetz:

"THAT the Consultants of the Municipal Development Plan take a serious look at the Industrial Zone in Eastern Passage with respect to the residential properties that exist within the Industrial Zone as shown on the Regional Development Plan." Motion carried.

Councillor Gaetz asked if the Consultants were not required to go to an area and find out if the property owners had any input on the situation. The Municipal Clerk advised him that there will be public hearings and seminars held in connection with the Regional Development Plan.

Councillor Gaetz advised that in conversation with a representative of the Provincial Community Planning Department, he was advised that there was no way that the plan could be changed, and he wondered if we were going to have any input.

Warden Settle advised Councillor Gaetz that he believed there was a clause that if there is a variance, it can be looked into.

Deputy Warden Streach commented that it seemed to him that we hire Project Planners and asked if this meant that we are not going to have any authority on what is going into that plan. It seemed to him that they were looking for a more indepth plan. He felt that this Municipality could go into an indepth study and recommendations could be made and those recommendations could be accepted by the Minister.

Councillor Deveaux asked what we were paying Project Planners for if we were going to make recommendations.

The Municipal Solicitor advised that any Municipal Development Plan that is presented by the Municipality or the City must conform with the Regional Development Plan. He stated that minor variations can be made if we can justify them. He felt that there was not much opportunity or hope that we could change the basic principles of the Regional Development Plan, that is why we wanted to get a Municipal Plan. He stated we could bring in a plan which is within the principles of the Regional Development Plan.

Councillor Gaetz spoke of the Green Area around Crowell Road. He stated that people could not get land to build on and a man cannot even give land to their children to build on.

Councillor McCabe felt this was a very detrimental situation, that there was a fair percentage of people wishing to build homes. He stated that a person who sells the land only one lot can be developed in a year and he said he advised the Minister of Health of his feelings when they met with him.

Councillor Nicholson said he was not defending the Regional Development Plan and commented that we were ordered to go into the Regional Development Plan, and that we had not yet accepted the Municipal Plan.

Councillor Deveaux stated that he still felt that there should be just cause for us to bring in some changes.

Deputy Warden Streach commented that there was a difference between a minor change and a major change. He stated that we have the provisions setting down broad guide lines and these provisions state that a man cannot give land to his children to build on.

The Municipal Solicitor advised that these are major changes, and stated that until the Municipal Development Plan is accepted, the Regional Development Plan cannot be changed.

The next item was the Report of the Public Works Committee. It was moved by Councillor Dunbar, seconded by Councillor McCabe:

"THAT the Report of the Public Works Committee be approved." Motion carried.

Mr. Bensted gave a brief outline of the Report.

Councillor Hudson requested when the proposals re Waverley Water Supply from the Consulting Engineers are dealt with by the Committee, that she be given an invitation to attend the meeting.

Councillor Fader assured her that she would receive a notice.

Warden Settle advised that he had written to the Members of the Federal Government who, in turn, had spoken with Ottawa people about the arsenic situation in this Municipality and he said that the people in Ottawa were amazed that the people of this Province had never approached them. Our Federal Members seemed to think that some assistance could be obtained to help the people in these areas.

It was moved by Councillor Fader, seconded by Councillor Anderson:

"WHEREAS Municipal Council is required to approve a five-year Capital Budget for submission to the Provincial Department of Municipal Affairs.

AND WHEREAS such a five-year Capital Budget has been submitted to Council.

BE IT RESOLVED THAT Council approve the said five-year Capital Budget." Motion carried.

Councillor Lawrence commented on the very few entries there were under Capital Grants for the Lakeside-Timberlea area and asked if all avenues had been explored. She was assured by the Municipal Clerk that they had been explored and re-explored. He advised that Provincial Assistance is not shown on the funding under Municipal Services Act - the blank spaces reflects the situation with DREE.

Deputy Warden Streach commented on Havill's Trailer Park and said he was under the impression that there was just water installed there. The Municipal Clerk advised him that this was correct.

Councillor Nicholson advised that since DREE had become the Department of Regional Economic Expansion, a lot of the infra-structure had been taken out.

Warden Settle advised that the Resolution passed by this Council had been approved by the Federation of Canadian Municipalities.

Mr. Bensted, Municipal Clerk, stated that this is one of the areas which we will have to take a very serious look at with the Municipal Development Plan. He said he thought this Municipality would have to take a very strong stand with the Provincial Government. The Provincial Government have said what should be provided but have failed to provide the dollars to do it with.

Councillor Anderson commented that he was most happy that the Plan had projected Lakeside - this indicated to him that the western area is getting something. He added that he hoped he stayed in Council long enough to have his area included.

It was moved by Councillor Deveaux, seconded by Councillor Fader:

"WHEREAS the Council of the Municipality of the County of Halifax (the Council ") is of the opinion that the hereinafter rights of the hereinafter described land are required for the purpose of a sewer easement through a portion of Eastern Passage, Halifax County;

AND WHEREAS the Council is of the opinion that no agreement can be made for the purchase thereof;

THEREFORE BE IT RESOLVED that the Council expropriate the right at any time to enter upon the lands hereinafter described for the purpose of laying down and constructing sewers and drains, and pipes for water and gas, and conduits in, under and upon the said lands and of keeping and maintaining the same at all times in good condition and repair, and for every such purpose, the Municipality of the County of Halifax shall have access to the said lands at all times by its servants, employees, workmen and agents, and that the compensation for the said rights to the land be one dollar (\$1.00)

AND BE IT RESOLVED FURTHER that the lands to be affected by these rights are:

25' EASEMENT REQUIRED OVER LANDS OF THE SUBDIVISION OF (Exp. No. 74-11)
THE ESTATE OF LAWRENCE HENNEBERRY, EASTERN PASSAGE, HALIFAX COUNTY+

ALL that certain pieces or parcel of land lying, being and situated in the Subdivision of the Estate of Lawrence Henneberry, Eastern Passage, County of Halifax, Province of Nova Scotia, and shown outlined in red on a plan by W. Bruce Millar, N.S.L.S., dated June 13, 1974 and more particularly described as follows:

BEGINNING at a point on the eastern boundary of the Eastern Passage Road, said point being also the northwest corner of lands of Hurley Langille and also being on the southern boundary of an existing right-of-way;

THENCE northerly a distance of twenty-five feet more or less (25'+) along the eastern boundary of the Eastern Passage Road to a point on lands of Leo Langille;

THENCE north sixty-four degrees fifty-five minutes east (N64°55'E) a distance of eight-five feet more or less (85'+) along lands of Leo Langille to a point;

THENCE north sixty-one degrees forty-four and one tenths minutes east (N61°44.1'E) a distance of two hundred twenty-four feet more or less (224'+) along lands of Leo Langille and along lands of Norman Mathews, being parallel to and eight feet (8) distant from an existing twelve foot (12') Right-of-way, to a point;

THENCE south twenty-eight degrees fifteen and nine tenths minutes east (S28°15.9'E) a distance of twenty-five (25') to a point on lands of Roy Cleary;

THENCE south sixty-one degrees forty-four and one tenths minutes west a distance of two hundred twenty-five feet more or less along lands of Roy Cleary, and along lands of Stephen White, being parallel to and five feet (5') distant from an existing twelve foot (12') Right-of-way,

THENCE south sixty-four degrees fifty-five minutes west (S64°55'W) a distance of ninety feet more or less (90'+) along lands of Hurley Langille to the Place of Beginning;

BEING or intended to be an easement twenty-five feet (25') wide.

ALL bearings refer to Magnetic North of the year 1960. " Motion carried.

Councillor Deveaux stated that before the Department of Highways took over roads - in the case of Eastern Passage there were lanes leading off the main highways and in order for the Highways to take over any road they have to have the signatures of two-thirds of the property owners. Where the lanes were not taken over, these were classed as private roadways. He said that on one lane in his area, there were three houses, but one owner refused to sign and he felt that if sewer and water were not put in now, it might be another twenty years before they get a chance again.

The Warden stated that we only expropriate in order to lay the pipe and maintain it.

The Municipal Clerk advised that we do not take the title to the property only acquire the right to go in and lay and maintain the pipes.

The next item was the Report of the Municipal School Board. It was moved by Councillor Anderson, seconded by Councillor McCabe:

"THAT the Report of the Municipal School Board be received." Motion carried.

Councillor Dunbar said that he was very happy to see that Bedford-Waverley was in line for a High School. He inquired if he could presume that this list was in order of priority. Councillor Hudson advised him this was not the case.

Councillor Dunbar also remarked that the School Board did not include any completion dates and asked if he could have some information on this.

Councillor Hudson advised that the High School was requested in advance as everyone was aware that it would take about three years to build it.

Councillor Anderson said he was very happy that Harrietsfield was included in this report. He commented that the priority of a High School had already been expressed and hoped that with all due speed it would go ahead.

The next item was the Report of the School Capital Program Committee. It was moved by Councillor Nicholson, seconded by Councillor Gaetz:

"THAT the Report of the School Capital Program Committee be approved." Motion carried.

Councillor Smith said he hoped the Councillors who were expecting schools in their areas were better rewarded than he - that he had been waiting for a school in his district and asked if there was anything to report on this.

Councillor Nicholson advised that this was progressing with all speed - that the Committee had been held up by the Department of Highways but they hoped it was cleared up by now. He assured Councillor Smith that it would be looked after with all speed.

Councillor Fader asked if there was any word on the Athletic Field for Sackville and was advised by the Municipal Clerk that they were still waiting word from the Department of Recreation as to what has happened to the funds.

It was moved by Councillor Johnson, seconded by Councillor Gaetz:

Municipality of the County of Halifax
Temporary Borrowing \$1,500,000.00
Elementary School - Forest Hills,
Cole Harbour

"WHEREAS by Section 6 of Chapter 6 of Chapter 193 of the Revised Statutes of Nova Scotia, 1967, the Municipal Affairs Act, it is enacted among other things, in effect, that

subject to the provisions of Section 8 of said Act every municipality of a county or district shall have full power and authority to borrow or raise by way of loan from time to time on the credit of the municipality such sum or sums as the Council thereof deems necessary for the purpose of constructing an elementary school in Forest Hills, Cole Harbour;

AND WHEREAS by Section 8 of said the Municipal Affairs Act, it is enacted among other things, in effect, that no money shall be borrowed under the provisions of the said Act until such proposed borrowing has been approved by the Minister of Municipal Affairs;

AND WHEREAS the Municipal Council of the Municipality of the County of Halifax deems it necessary to borrow a sum not exceeding \$1,500,000.00 for the purpose of constructing an elementary school in Forest Hills, Cole Harbour;

AND WHEREAS by the Municipal Affairs Act such sum shall in the discretion of the Municipal Council be borrowed or raised in one sum at one time or in instalments at different times and the sum required shall be borrowed or raised by the issue and sale of debentures of the Municipality to such an amount as the Council thereof deems necessary to raise such sum;

AND WHEREAS it is deemed expedient to postpone the issue of debentures and to borrow such sum for the purpose aforesaid from the Royal Bank of Canada at Halifax the sum so borrowed to be repaid to said Bank from the proceeds of the debentures when sold;

BE IT THEREFORE RESOLVED that under and by virtue of said the Municipal Affairs Act the Municipality of the County of Halifax do, subject to the approval of the Minister of Municipal Affairs, borrow or raise by way of loan on the credit of the Municipality a sum not exceeding One Million, Five Hundred Thousand Dollars (\$1,500,000.00) for the purpose aforesaid;

THAT under and in accordance with said the Municipal Affairs Act such sum be borrowed or raised by the issue and sale of debentures of the Municipality to such an amount as the Council deems necessary to raise such sum:

THAT the issue of such debentures be postponed and the said Municipality do, under and by virtue of the provisions of Section 147 of the Municipal Act and subject to the approval of the Minister of Municipal Affairs, borrow by way of loan on the credit of the Municipality a sum or sums of money not exceeding One Million Five Hundred Thousand Dollars (\$1,500,000.00) from the Royal Bank of Canada at Halifax;

THAT such sum or sums be borrowed from said Bank for a period not exceeding twelve months from the date on which this resolution shall have been approved by the Minister of Municipal Affairs, with interest thereon to be paid said Bank at such rate as shall be agreed upon and that the amount so borrowed be repaid the said Bank from the proceeds of the debentures when sold. Motion carried.

It was moved by Councillor Deveaux, seconded by Councillor Hudson:

Municipality of the County of Halifax
Temporary Borrowing \$1,200,000.00
Elementary School - Ash-Lee - Fall River

WHEREAS by Section 6 of Chapter 193 of the Revised Statutes of Nova Scotia, 1967, the Municipal Affairs Act, it is enacted among other things, in effect, that subject to the provisions of Section 8 of said Act every municipality of a county or district shall have full power and authority to borrow or raise by way of loan from time to time on the credit of the municipality such sum or sums as the Council thereof deems necessary for the purpose of constructing an elementary school - Ash-Lee at Fall River;

AND WHEREAS by Section 8 of said the Municipal Affairs Act, it is enacted among other things, in effect, that no money shall be borrowed under the provisions of the said Act until such proposed borrowing has been approved by the Minister of Municipal Affairs;

AND WHEREAS the Municipal Council of the Municipality of the County of Halifax deems it necessary to borrow a sum not exceeding One Million, Two Hundred Thousand Dollars (\$1,200,000.00) for the purpose of constructing an elementary school - Ash-Lee, at Fall River;

AND WHEREAS by the Municipal Affairs Act such sum shall in the discretion of the Municipal Council be borrowed or raised in one sum at one time or in instalments at different times and the sum required shall be borrowed or raised by the issue and sale of debentures of the Municipality to such an amount as the Council thereof deems necessary to raise such sum;

AND WHEREAS it is deemed expedient to postpone the issue of debentures and to borrow such sum for the purpose aforesaid from the Royal Bank of Canada at Halifax the sum so borrowed to be repaid to said Bank from the proceeds of the debentures when sold;

BE IT THEREFORE RESOLVED that under and by virtue of said the Municipal Affairs Act the Municipality of the County of Halifax do, subject to the approval of the Minister of Municipal Affairs, borrow or raise by way of loan on the credit of the Municipality a sum not exceeding One Million, Two Hundred Thousand Dollars (\$1,200,000.00) for the purpose aforesaid;

THAT under and in accordance with said the Municipal Affairs Act such sum be borrowed or raised by the issue and sale of debentures of the Municipality to such an amount as the Council deems necessary to raise such sum;

THAT the issue of such debentures be postponed and the said Municipality do, under and by virtue of the provisions of Section 147 of the Municipal Act and subject to the approval of the Minister of Municipal Affairs, borrow by way of loan on the credit of the Municipality a sum or sums of money not exceeding One Million, Two Hundred Thousand Dollars (\$1,200,000.00) from the Royal Bank of Canada at Halifax.

THAT such sum or sums be borrowed from said Bank for a period not exceeding twelve months from the date on which this resolution shall have been approved by the Minister of Municipal Affairs, with interest thereon to be paid said Bank at such rate as shall be agreed upon and that the amount so borrowed be repaid the said Bank from the proceeds of the debentures when sold." Motion carried.

It was moved by Councillor Gaetz, seconded by Councillor Smith:

Municipality of the County of Halifax
Temporary Borrowing \$2,500,000.00
Junior High School - Cole Harbour

"WHEREAS by Section 6 of Chapter 193 of the Revised Statutes of Nova Scotia, 1967, the Municipal Affairs Act, it is enacted among other things, in effect, that subject to the provisions of Section 8 of said Act every municipality of a county or district shall have full power and authority to borrow or raise by way of loan from time to time on the credit of the municipality such sum or sums as the Council thereof deems necessary for the purpose of constructing a junior high school in Cole Harbour;

AND WHEREAS by Section 8 of said the Municipal Affairs Act, it is enacted among other things, in effect, that no money shall be borrowed under the provisions of the said Act until such proposed borrowing has been approved by the Minister of Municipal Affairs;

AND WHEREAS the Municipal Council of the Municipality of the County of Halifax deems it necessary to borrow a sum not exceeding Two Million, Five Hundred Thousand Dollars (\$2,500,000.00) for the purpose of constructing a junior high school in Cole Harbour;

AND WHEREAS by the Municipal Affairs Act such sum shall in the discretion of the Municipal Council be borrowed or raised in one sum at one time or in instalments at different times and the sum required shall be borrowed or raised by the issue and sale of debentures of the Municipality to such an amount as the Council thereof deems necessary to raise such sum;

AND WHEREAS it is deemed expedient to postpone the issue of debentures and to borrow such sum for the purpose aforesaid from the Royal Bank of Canada at Halifax the sum so borrowed to be repaid to said Bank from the proceeds of the debentures when sold;

BE IT THEREFORE RESOLVED that under and by virute of said the Municipal Affairs Act the Municipality of the County of Halifax do, subject to the approval of the Minister of Municipal Affairs, borrow or raise by way of loan on the credit of the Municipality a sum not exceeding Two Million, Five Hundred Thousand Dollars (\$2,500,000.00) for the purpose aforesaid;

THAT under and in accordance with said the Municipal Affairs Act such sum be borrowed or raised by the issue and sale of debentures of the Municipality to such an amount as the Council deems necessary to raise such sum;

THAT the issue of such debentures be postponed and the said Municipality do, under and by virtue of the provisions of Section 147 of the Municipal Act and subject to the approval of the Minister of Municipal Affairs, borrow by way of loan on the credit of the Municipality a sum or sums of money not exceeding Two Million, Five Hundred Thousand Dollars (\$2,500,000.00) from the Royal Bank of Canada at Halifax;

THAT such sum or sums be borrowed from said Bank for a period not exceeding twelve months from the date on which this resolution shall have been approved by the Minister of Municipal Affairs, with interest thereon to be paid said Bank at such rate as shall be agreed upon and that the amount so borrowed be repaid the said Bank from the proceeds of the debentures when sold." Motion carried.

The next item was the Report of the Finance and Executive Committee. It was moved by Councillor Gaetz, seconded by Councillor Slauenwhite:

"THAT the Report of the Finance and Executive Committee be approved." Motion carried.

It was moved by Councillor Lawrence, seconded by Councillor Nicholson:

"WHEREAS a new Volunteer Fire Department has been established to serve that portion of District No. 3 from the boundary of District No. 2, through St. Margaret's Bay Road to the boundary of District No. 1 and the Highway 213 from the junction of the St. Margaret's Bay Road to the District No. 17 boundary at Stillwater Lake;

AND WHEREAS a public meeting was duly called and held in the District and approval was given for an area rate for fire fighting purposes of \$0.10 per \$100.00 of assessment;

BE IT RESOLVED THAT a rate of \$0.10 per \$100.00 of assessment be and the same is hereby levied on and for fire fighting purposes in the above described portion of District No. 3." Motion carried.

Councillor Gaetz brought up the topic of old cars and commented that in Hants County they get a thousand dollars to collect these old cars and wanted to know what the answer was to this.

Mr. Bensted advised that the Department of the Environment had agreed to carry out a pilot program in the East Hants area with regard to old car bodies and the Department of the Environment will pay \$16.00 for each car body that is brought in and the area will pay the remainder. He stated that this was a Pilot Project and depending on the success of it other projects will be carried out in future years. He stated that Halifax County had been discussed with the Department and they advised that Halifax County was too large an area for a Pilot Project.

Councillor Hudson asked if there was any indication as to whether the Provincial Government would approve the purchase of Library Books. She felt it was appalling that the Government would assist in the building of libraries and not assist in the purchase of books, although she believed they were beginning to give some assistance now.

Councillor Lawrence spoke on the topographical mapping contract with Atlantic Air Survey Limited and the Municipal Development Plan and she was advised by Mr. Bensted that they were talking about a cost of \$65,000.00 with the cost to the Municipality being \$12,000.00

Councillor Fader spoke with regard to the Senior Citizens Project in Sackville. He said he had not been sold on the location of that area but understood after meeting with the Minister and Mr. Brown that we are behind in Halifax County with respect to Senior Citizens Projects. He expressed the hope that the Warden and Clerk would take steps to get this agreement signed and construction started as soon as possible.

Councillor McCabe inquired if there had been any communication with regard to Senior Citizens Homes in his area. Mr. Bensted advised that his letter had been acknowledged by the Housing Commission but no other information had been received as yet.

Councillor Williams spoke on the Loitering By-law and stated that he was very happy to see that this is being incorporated in our By-laws. He asked if signs would be placed on schools that there was to be no loitering around these buildings in an effort to stop vandalism so that people may know we have a By-law re loitering. He commented that the R.C.M.P. are powerless at the present time but if an order were placed on the schools they would have some authority. He wanted to know if he could assume that notices would be placed.

Mr. Bensted advised that as soon as the amended by-laws were approved by the Minister of Municipal Affairs, the R.C.M.P. would be notified. He stated that as far as notices on the schools were concerned, this would be a matter for the Municipal School Board.

Councillor Hudson commented that Councillors may be interested in a meeting held with the Minister, Mr. Fitzgerald, re Senior Citizens Projects in Sackville. She stated that Mr. Brown also attended the meeting and those in attendance were advised that Halifax County is far behind in requests for Senior Citizens Homes and if we are desirous of making applications we could have them within a year. She said that they were told "all you have to do is ask".

Councillor Deveaux commented that he had asked a year ago with regard to a Senior Citizen Housing for his area. He stated that the Housing Commission had stated that you had to have forty names - now they request twenty more. He commented that he was "doing the leg work" while they were sitting back.

Deputy Warden Streach remarked that it seemed that this County was being told two or three different things. He commented that it was only recently that Halifax County was interested in Senior Citizens Housing but he understood that money had been allocated. He also commented that the whole Municipality was to be studied and that study was to be brought back to Council. According to the information passed on by Councillor Hudson, he felt that this County should ask the Government for a definite position with regard to these Senior Citizens projects and he said he would be prepared to make a motion that we have clarification by the Minister.

Councillor Slauenwhite remarked that all the Government wants from us is the location and number of units. He stated that they would like to give some consideration to Halifax County.

Councillor McCabe asked if the Government could give the County some guide lines - some direction as to what they expect us to do.

Councillor Dunbar stated that the day they had met with the Minister about the Senior Citizens Housing he had made a very broad statement that if any Municipality wanted a Senior Citizens Project in his District all he had to do was ask. Councillor Dunbar commented that there is a certain amount of time element in this. He said he had a great suspicion that as far as the Federal Funds were concerned they might dry up so he urged that if any Councillor wanted a Senior Citizens project in his area he had better get on the band wagon quick.

Councillor Smith commented that a lot of people would like to fix up their own homes and return the money in small payments and he wondered if the County had looked into these problems.

The Municipal Clerk assured the Councillor that these programs had been looked into. He stated that there were indications at one time that there would be a program where individual homes could be looked at. He stated that he and Warden Settle had met with the Housing Commission and were advised that this program could be initiated in this County when dollars were available.

Councillor Smith asked if it would be in order to have a motion for an investigation of the Halifax County area and the Municipal Clerk agreed that it would not do any harm.

Councillor Deveaux asked how much difference there was in the amended By-law re Loitering from the original By-law.

Mr. Cox, Municipal Solicitor, stated that the major difference is that there was considerable doubt as to whether shopping malls and shopping centres were in fact public places where this By-law would be applied. He advised that the By-law now applied to all public places.

It was moved by Councillor Fader, seconded by Councillor Anderson:

"WHEREAS agreement has been arrived at with respect to the location of a 20-Unit Senior Citizen Project in Lower Sackville.

BE IT RESOLVED THAT Council approve this project and that the Warden and Clerk be and they are hereby authorized and instructed to sign a designation agreement re Federal and Provincial Housing Agreements, Section 40, of the National Housing Act, on behalf of the Municipality." Motion Carried.

It was moved by Councillor McCabe, seconded by Deputy Warden Streach:

"WHEREAS the Fire Department at Middle Musquodoboit recently added additional space to the Fire Hall, which is being occupied by the Provincial Department of Agriculture and the Provincial Department of Lands and Forests.

AND WHEREAS a new lease agreement covering the rental of these premises has been approved by the Provincial Department of Public Works.

BE IT RESOLVED THAT the Warden and the Clerk be and they are hereby authorized to execute the said lease agreement on behalf of the Municipality." Motion carried.

Councillor MacKenzie asked if a new agreement had been considered with regard to space rented with the Sheet Harbour Fire Department.

The Municipal Clerk advised that this has been discussed with the Department of Public Works.

It was moved by Deputy Warden Streach, seconded by Councillor MacKenzie:

"THAT the previous Temporary Borrowing for District No. 7 Service Commission in the amount of \$500,000.00 be and the same is hereby rescinded." Motion carried.

The Municipal Clerk advised that the reason for this rescinding was due to the fact that the wording was not to the satisfaction of the Department of Municipal Affairs.

It was moved by Councillor Gaetz, seconded by Councillor Deveaux:

Municipality of the County of Halifax
 Temporary Borrowing - \$500,000.00
District No. 7 Service Commission

"WHEREAS the Municipal Affairs Act provides that every municipality of a county or district may, subject to the approval of the Minister of Municipal Affairs, borrow for the purpose of generally, any municipal purpose whatsoever, namely the improving of property held by trustees for the use of the public;

BE IT THEREFORE RESOLVED THAT under the authority of the Municipal Affairs Act the Municipality of the County of Halifax borrow a sum not exceeding Five Hundred Thousand Dollars (\$500,000.00) for purpose set out above, subject to the approval of the Minister of Municipal Affairs;

THAT this sum be borrowed by the issue and sale of debentures of the Municipality to such an amount as Council deems necessary;

THAT the issue of the debentures be postponed pursuant to Section 147 of the Municipal Act and that the Municipality borrow a sum not exceeding Five Hundred Thousand Dollars, (\$500,000.00) from the Royal Bank of Canada at Halifax;

THAT the sum be borrowed from the Bank for a period not exceeding twelve months from the date of the approval of the Minister of Municipal Affairs of this resolution;

THAT the interest payable on the borrowing be paid to the Bank at a rate to be agreed upon; and

THAT the amount borrowed be repaid to the Bank from the proceeds of the debentures."

Motion carried.

It was moved by Councillor Deveaux, seconded by Councillor Williams:

Municipality of the County of Halifax
 Issuing Resolution - \$132,185.12
Sewer - Eastern Passage

"WHEREAS the Municipal Council of the Municipality of the County of Halifax is authorized by law to borrow or raise by way of loan by the issue of debentures of the Municipality a sum not exceeding Five Hundred Forty-two Thousand Five Hundred Sixty-one Dollars and Sixty-eight Cents (\$542,561.68) for the purpose of constructing, altering, acquiring, extending or improving public sewers or drains in the Municipality and acquiring or purchasing materials, machinery, implements or plan deemed requisite or advisable therefor;

AND WHEREAS pursuant to a resolution passed by the Municipal Council on the 20th day of March, 1973, and approved by the Minister of Municipal Affairs on the 4th day of May, 1973, the Council postponed the issue of debentures and borrowed from the Royal Bank of Canada at Halifax a sum not exceeding Seven Hundred Fifty Thousand Dollars (\$750,000) for the purpose set out above;

AND WHEREAS pursuant to a resolution passed by the Municipal Council on the 17th day of June, 1975, and approved by the Minister of Municipal Affairs on the 15th day of July, 1975, the Council issued one debenture in the principal amount of Sixty-eight Thousand Six Hundred Seventy-seven Dollars and Eighty-nine Cents (\$68,677.89) leaving a balance of Six Hundred Eighty-one Thousand Three Hundred Twenty-two Dollars and Eleven Cents (\$681,322.11) still authorized to be borrowed by the issue of debentures for the purpose set out above;

AND WHEREAS pursuant to a resolution passed by the Municipal Council on the 17th day of June, 1975, and approved by the Minister of Municipal Affairs on the 15th day of July, 1975, the Council issued on debenture in the principal amount of One Hundred Thirty-eight Thousand Seven Hundred Sixty Dollars and Forty-three Cents (138,760.43) leaving a balance of Five Hundred Forty-two Thousand Five Hundred Sixty-one Dollars and Sixty-eight Cents (\$542,561.68) still authorized to be borrowed by the issue of debentures for the purpose set out above;

AND WHEREAS such sum was borrowed form the said Bank for a period not exceeding twelve months at a rate of interest as agreed upon, and it is now deemed necessary to issue debentures and to repay the said Bank a portion of the sum so borrowed;

AND WHEREAS the Municipal Council deems that the issue of one debenture to the amount of One Hundred Thirty-two Thousand One Hundred Eighty-five Dollars and Twelve Cents, (\$132,185.12) as hereinafter mentioned will be necessary to raise the sum required;

BE IT THEREFORE RESOLVED THAT one debenture of the Municipality for One Hundred Thirty two Thousand One Hundred Eighty-five Dollars and Twelve Cents (132,185.12) be accordingly issued and sold;

THAT the debenture be numbered 75-F-1;

THAT the debenture be dated the 1st day of March, 1975;

THAT the principal and interest be payable in accordance with the following Schedule;

<u>Payment Number</u>	<u>Date Due</u>	<u>Principal</u>	<u>Interest</u>	<u>Total</u>
1	March 1, 1976	\$ 2,837.74	\$ 8,668.18	\$ 11,505.92
2	March 1, 1977	3,069.30	10,111.79	13,181.90
3	March 1, 1978	3,319.76	10,304.29	13,624.05
4	March 1, 1979	3,590.65	10,033.40	13,624.05
5	March 1, 1980	3,883.65	9,740.40	13,624.05
6	March 1, 1981	4,200.55	9,423.50	13,624.05
7	March 1, 1982	4,543.32	9,080.73	13,624.05
8	March 1, 1983	4,914.05	8,710.00	13,624.05
9	March 1, 1984	5,315.04	8,309.01	13,624.05
10	March 1, 1985	5,748.75	7,875.30	13,624.05
11	March 1, 1986	6,217.85	7,406.20	13,624.05
12	March 1, 1987	6,725.22	6,898.83	13,624.05
13	March 1, 1988	7,274.00	6,350.05	13,624.05
14	March 1, 1989	7,867.56	5,756.49	13,624.05
15	March 1, 1990	8,509.55	5,114.50	13,624.05
16	March 1, 1991	9,203.93	4,420.12	13,624.05
17	March 1, 1992	9,954.97	3,669.08	13,624.05
18	March 1, 1993	10,767.30	2,856.75	13,624.05
19	March 1, 1994	11,645.91	1,978.14	13,624.05
20	March 1, 1995	12,596.02	1,027.84	13,623.86
		<u>\$132,185.12</u>	<u>\$137,734.60</u>	<u>\$269,919.72</u>

THAT the said principal and interest be payable without charge to the holder at any office of the Royal Bank of Canada at Halifax, Nova Scotia, and at the principal office of the said Bank in either of the Cities of Toronto or Ottawa at the option of the holder, the said interest to be at the rate of Eight per centum (8%) per annum commencing on the First Day of March, 1975, calculated semi-annually not in advance and payable annually at any said office at the option of the holder;

THAT the Warden of the said Municipality do sign the debenture or have it impressed with a printed facsimile of his signature and the Clerk of the said Municipality do counter sign the said debenture, that they do seal the same with the corporate seal of the said Municipality, and that the said Warden and Clerk do sign the interest coupons or if the same are lithographed either sign the same or have them impressed with a facsimilie of their signatures;

THAT a portion of the amount borrowed as aforesaid from the Bank be repaid the said Bank out of the proceeds of the said debenture when sold." Motion carried.

It was moved by Councillor Fader, seconded by Councillor Deveaux:

Municipality of the County of Halifax
Issuing Resolution - \$72,820.30
Sewer Installation

"WHEREAS the Municipal Council of the Municipality of the County of Halifax is authorized by law to borrow or raise by way of loan by the issue of debentures of the Municipality a sum not exceeding One Hundred Seventy-nine Thousand Four Hundred Nine Dollars and Seventy-nine Cents (\$179,409.79) for the purpose of constructing, acquiring, altering, extending, or purchasing materials, machinery, implements or plan deemed requisite or advisable therefore;